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Remarks

SEP 29 2005

The proposed Global Positioning System Signature Stamp Machine (GPS3M) is not an obvious extension of existing inventions or products. Indeed, the proposed machine to date does not exist. If it is so obvious an invention, why does it to date not exist?

Extensive discussion to the merits and value of said GPS3M as deserving of a patent have been previously made, where arguments successfully removed initial objections. Several new points of objection were raised that herein are answered.

## Remarks to USPTO OAS, Page 2

-A-

Examiner has suggested omitting the term "unreplicable"/ unreplicable in claim 1, line 1 and claim 2, line 2.

Applicant recognizes and acknowledges Claim Objections with regards to the use of the term "unreplicable" / unreplicable as frequently being used interchangeably with the term "unique". However, it must be recognized that all things that are unique are not necessarily unreplicable. But all things that are unreplicable by definition must be unique.

Applicant requests recognition of the intent for use of this word, and would like to comply with the requested change, submitted herein under "Amendments to Claims" sheet.

-B-

RE: Claims 3 &amp; 4: 35 USC 112

Applicant is well aware of 35 U.S.C. 112

Applicant however recognizes his invention as falling more closely under MPEP 608.01(a) which states:  
"Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described, and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail." The section clearly states:  
"The description should be as short and specific as is necessary to describe the invention adequately and accurately."

As previously stated in applicants prior submitted remarks: "the proposed system is unique, offers advantages and may be built from well-established products available at time of patent submission. Detailed description for already established items has been declared unnecessary."

Applicant re-affirms and herein represents this original stance first made in initial application: "The entitled invention described herein takes advantage of well-established means and methods in Global Positioning System for the discernment of location as well as time."  
(Page 2, line 2-4)

"It also makes use of time stamp machines frequently utilized for decades in the course of employment, for reasons of tracking employee work hours."  
(page 2, line 4-7)

The well established technology is reaffirmed again in next paragraph under "BRIEF SUMMARY OF THE INVENTION":

"Via already well established technology in Global Positioning System, recording of alphanumeric symbols and digital encoding utilized for incorporation, assimilation and subsequent computation of data, the herein described GPS3M makes use of all these well established mean and methods in technologies and applications to act as a simple, portable, unique encoding system."  
(page 2, lines 18-24)

-C-

RE: Claim 3: GPS3M Encoding

GPS3M encoding refers to stamp output (digital or alphanumeric) that indicates unique position and time.

-D-

RE: Claim 4: Cross Functional Platforms

Cross Functional Platforms is discussed in detail in prior remarks (e.g. 01-10-2005), including original 09/879,884 application (page 4) where cross functional platform is well articulated in the next paragraph on the same said page, by illustrating a situation where several different companies are using different systems for tracking that can instead be unified using a single system as proposed in the application.

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USPTO OAS. Pages 4 and 6

OAS States: "Claims 3 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention because the specification fails to disclose what applicant views as GPS3M encoding."

OAS further States: "Woo teaches: Assignment of a permanently unique unreplicable code based on refinement of a Global Positioning signal to centimeter or sub-centimeter accuracy by use of a GPS or Relative Positioning System signal in regard to claim "

Actually, I am the one who teaches that in my own patent application.

In patent application 09/879,884, applicant indicates the final product proposed is nothing more than a combination of existing products to provide a new product/service and therefore by USPTO advisement no details of already established technology is required. What makes GPS3M unique and very valuable has been reviewed rigorously & numerous times in my communications with the Office. Several prior objections were happily removed and new ones presented with the final USPTO Office Action Summary that herein are addressed.

The dissimilarities between Patent No. 5,642,285 (Woo et al.) and 09/879,884 are significant in that my invention is unique with regards to ability to assign a unique code to virtually anything, anywhere. This code can then be affixed to a product of interest, its coordinates in time and space catalogued, and upon a future date where the product is far from its original geographical position at any time in the future, the encoding provided via my product will be able to decipher exactly where it originated from. It is important to emphasize that the code cannot be ever be replicated by the simple notion that no two items can occupy a particular space at the same exact time - a "fingerprinting technology" in essence is being proposed for all items that are unique and can not in any way be replicated. I used an amorous wooden leg of an exotic italian table as an example in my prior communications with the office. Should there be a manufacturing need far in the future for such a table leg, all the information with regards to its manufacture (who made it, which technician made it, out of what material, where it was stored, where it was used) would then be able to be retrieved for personal use (e.g. home owner) or professional needs (e.g. Museum curator, furniture manufacturer). The Woo et al. invention is largely if not exclusively concerned with a virtual world of enhancing the cinematic experience as it occurs on film reels. In no way is it proposing a mechanism by which to fingerprint any and all things in matter for later tracking and retrieval. In no way can a gadget proposed (09/879,884) to be used as common as a stapler bare any resemblance or conceivable overlap with a technology (US 5,642,285) designed for special effects by the movie industry. The function of the two compared items are at diametrical opposites and do not in any way overlap. I accept the two inventions as very different and with very different patent protections that cannot overlap.

The referenced Woo invention is finitely limited to film and as such does not provide the unique potential for thousands, if not millions of applications for coding and tracking needs by consumers worldwide. The referenced Woo invention is extremely limited to one single use whereas my proposed invention has infinite - millions if not billions of uses, limited only by the users imagination and needs for personal/private tracking or corporate needs (e.g. courier services, Just In Time inventory management). Whether its collecting sea shells and cataloging them for personal use or a company's need to track inventory and subsequent consumer use, the possibilities are infinite. The Woo invention is solely to be used by entertainment industry and in no way could it overlap with proposed invention. Acting as support for this statement, it has been

some one decade since the invention of US 5,642,285 and the technological value to the consumer as stated in my patent with all its benefits have yet to be utilized by any product in existence or any patent proposal. Stamping and tracking of items (e.g. as employed by Fed Ex for its delivery needs) are highly specific with few applications that are a global industry-wide standard where one proposed language as offered by my patent via use of a GPS3M may be used to bridge gaps between specific systems used by different companies, within different countries. For instance, a table leg manufactured in China and encoded for tracking by the manufacturing company and encoded digitally or analog will in no way be of any benefit far away from the manufacturers system of encoding and decoding. My proposed invention is a utility that will enable and connect systems, providing for a "universal language" that is intuitive because of inherent use of time and space by all cultures that will bridge gaps between different systems of information that otherwise would have no way of communication. The Wood et al. system in no way overlaps with use and utility referred to my patent application. Conversely, my patent in no way overlaps with Woo et al. system its use for tracking and editing of film.